Remarks

This Application has been carefully reviewed in light of the Office Action mailed June 6, 2003. Applicants appreciate the Examiner's consideration of the Application. Applicants believe all pending claims are allowable over the prior art of record without amendment. However, Applicants have made a clarifying amendment to Claim 20. This amendment has not narrowed Claim 20 and is not made in relation to patentability. Applicants respectfully request reconsideration and allowance of all pending claims.

I.   Information Disclosure Statement

Applicants mailed an Information Disclosure Statement (IDS) and accompanying PTO-1449 form on December 31, 2001. The PTO received the IDS on December 31, 2001. Applicants note that the Examiner has not indicated consideration of the references listed on the PTO-1449 form. Copies of all papers submitted in connection with the IDS are attached for the Examiner's convenience. Applicants respectfully request the Examiner to indicate consideration of the references listed on the PTO-1449 form.

II.   Drawing Objections

The Examiner objects to the drawings for various reasons. Applicants have amended the specification and drawings. Revised sheets 2-3 of 5 and marked-up sheets 2-3 of 5 are attached. Applicants respectfully request that the Examiner withdraw the objections to the drawings.

III.   Specification Objections

The Examiner objects to the specification for various reasons. Applicants have amended the specification. With respect to buyers 20, sellers 30, databases 32, and columns 152, Applicants have added a parenthetical after the first mention of each of these terms for further clarification. Applicants respectfully request that the Examiner withdraw the objections to the specification.

IV.   Rejections Under 35 U.S.C. § 102

The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by Ebay.com (*"Ebay"*). The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by Amazon.com (*"Amazon"*). The Examiner

rejects Claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by US Pat No. 6,366,910 to Rajaraman et al ("*Rajaraman*").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. In addition, "[t]he elements *must* be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q. 2d 1566 (Fed. Cir. 1990); M.P.E.P. § 2131 (emphasis added). Each of the references cited by the Examiner fails to disclose, teach, or suggest, either expressly or inherently, the limitations recited in Applicants' claims.

A.   Claims 1-7, 9-16, 18-25, and 27-28 are Allowable over *Ebay*

The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by *Ebay*. Applicants respectfully disagree.

Ebay discloses a list of product categories through which a user may navigate to find a desired category. (*See* Pages 1-2) The user may then search within the desired category for a desired item. (*See Ebay*, Pages 2-5) For example, as indicated by the Examiner, the user may search for items relating to Roberto Clemente within the Sports category. (Office Action, Page 3) *Ebay* also teaches returning search results for the search performed by the user. (*See* Pages 3 and 5) The search results may include a list of found items matching certain search terms entered by the user. (*See Ebay*, Pages 3 and 5) A user may click on a found item, and the ebay.com web site will display various information about the item, including the seller of the item. (*See Ebay*, Page 6) The screen containing the information about the item also includes a link to display other items offered by the seller. (*See Ebay*, Page 6)

In contrast, Applicants' Claim 1 recites:

> A global content directory, comprising:
> a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class;
> *one or more pointers associated with each product class, each pointer identifying a seller database* in which product data enabling a product transaction is stored for products associated with the product class; and

a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data *to one or more seller databases identified by the one or more pointers* associated with the selected product class.

Ebay fails to disclose, teach, or suggest the limitations specifically recited in Claim 1.

For example, *Ebay* fails to disclose, teach, or suggest "one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class," as specifically recited in Claim 1. Relying on archived screen shots of ebay.com (which make up the *Ebay* reference), the Examiner simply wrote the word "seller" as teaching this entire element. (Office Action, Page 3) Presumably, the Examiner is referring to the seller information displayed when a user selects a particular found item. In fact, based on the screen shots alone, there is no way for the Examiner to know how the system disclosed in *Ebay* works or how it obtains the search results. Forced to speculate as we are, it is likely that a seller wishing to offer an item for auction on ebay.com submits information about the seller and the item to ebay.com and ebay.com simply stores that information in a database system that consolidates information for all sellers offering items for auction on ebay.com. This is particularly likely in light of the fact that many, if not most, sellers offering items for auction on ebay.com are individuals offering one or possibly a few items for auction, not a whole database of items. In fact, ebay.com most likely performs a simple search (e.g., an SQL search) of a database system associated with ebay.com that stores information for all sellers. Each item listing in the database system of ebay.com may include a seller entry for the seller of the item, category entries listing the categories for the item, and other information.

Additionally, according to *Ebay*, the screen for a selected found item (e.g., *Ebay*, Page 6) also includes a link to other items offered by the seller. Again, forced to speculate as we are, it is likely that obtaining this information for display is a matter of simply performing another search of the consolidated database system associated with ebay.com. There simply is no disclosure, teaching, or suggestion in *Ebay* that there are "one or more pointers associated with each product class" or that "each pointer identif[ies] a seller database in which product data enabling a product transaction is stored for products associated with the product class," as specifically recited in Claim 1.

As another example, *Ebay* fails to disclose, teach, or suggest "a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class," as specifically recited in Claim 1. As discussed above, there is no disclosure, teaching, or suggestion in *Ebay* of one or more pointers or one or more seller databases identified by the one or more pointers associated with each product class. Thus, *Ebay* necessarily fails to disclose, teach, or suggest communicating "a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class," as specifically recited in Claim 1. As best as can be determined by the screen shots of *Ebay*, the search performed is likely of a consolidated database system associated with ebay.com.

Furthermore, when considering the patentability of a claim, it is essential to view the invention as a whole, taking each element into account as well as the advantages, properties, utilities, and results of the invention. *In re Chupp*, 816 F.2d 643 (Fed. Cir. 1987). As such, Applicants respectfully direct the Examiner to Page 19, Lines 25-27 of Applicants' specification, which provides, "Since GCD 42 is able to communicate with databases 32 to identify certain products requested by a buyer 20, information about the products categorized in GCD 42 does not have to be stored at GCD 42."

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1, together with Claims 2-7 and 9-10 that depend from independent Claim 1. Independent Claims 11 and 20 are allowable for reasons substantially similar to those discussed above with respect to independent Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 11 and 20, together with Claims 12-16 and 18-19 (which depend from independent Claim 11) and Claims 21-25 and 27-28 (which depend from independent Claim 20).

B.   Claims 1-7, 9-16, 18-25, and 27-28 are Allowable over *Amazon*

The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by *Amazon*. Applicants respectfully disagree.

Amazon discloses certain features similar to those discussed above with reference to *Ebay*. *Amazon* discloses a list of product categories through which a user may navigate to find a desired category. (*See* Pages 1 and 3) For example, *Amazon* includes an Electronics category. (*See* Pages 1 and 3) The user may then search within the desired category for a desired item. (*See Amazon*, Page 4) For example, as indicated by the Examiner, the user may search for items relating to DVD players within the Electronics category. (Office Action, Page 6) *Amazon* also teaches returning search results for the search performed by the user. (*See* Page 5) The search results may include a found item matching certain search terms entered by the user. (*See Amazon*, Page 5) The Examiner indicates that in response to a search (e.g., for "DVD"), the buyer will be provided with list of sellers selling things related to the search term (e.g., "DVD"). (Office Action, Page 6) However, the pages cited by the Examiner merely include a single search result that is not in the form of a list. (*See Amazon*, Pages 4-6) Amazon.com displays various information related to the found item (*Amazon*, Pages 5-6), including sellers of the item other than amazon.com. (*See Amazon*, Page 5)

Like *Ebay*, *Amazon* fails to disclose, teach, or suggest the limitations specifically recited in Claim 1.

For example, *Amazon* fails to disclose, teach, or suggest "one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class," as specifically recited in Claim 1. Relying on archived screen shots of amazon.com (which make up the *Amazon* reference), the Examiner simply wrote the word "seller" as teaching this entire element. (Office Action, Page 6) Presumably, the Examiner is referring to the "More Buying Choices" section of *Amazon* (*see* Page 5), which allows a user to search for additional buyers (i.e. other than *Amazon*) that offer the product for sale. However, as discussed above with reference to *Ebay*, the Examiner has no way of knowing how the system in *Amazon* works or how it obtains its search results based merely on the screen shots of amazon.com.

Forced to speculate as we are, it is likely that one of the "other sellers" wishing to offer an item for sale on amazon.com submits information about the item and the seller to amazon.com

and amazon.com simply stores that information in a database system that consolidates information for all sellers offering items for sale on amazon.com. For example, a seller may submit to amazon.com a message indicating that the seller has a used Philips DVD player that the seller is willing to sell for $130.00. Amazon.com then likely stores this in a database system associated with amazon.com. In response to a search request for "More Buying Choices" for the Philips DVD740VR DVD/VCR Combo (*see Amazon*, Page 5), amazon.com most likely performs a simple search (e.g., an SQL search) of a database system associated with amazon.com that stores information for all "other sellers." Each item listing in the database system of amazon.com (e.g., the Philips DVD740VR DVD/VCR Combo) may include a seller entry for other sellers of the item, category entries listing the categories for the item (e.g., Electronics), and other information. But this type of search in no way involves accessing any sort of seller database. There simply is no disclosure, teaching, or suggestion in *Amazon* that there are "one or more pointers associated with each product class" or that "each pointer identif[ies] a seller database in which product data enabling a product transaction is stored for products associated with the product class," as specifically recited in Claim 1.

As another example, *Amazon* fails to disclose, teach, or suggest "a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class," as specifically recited in Claim 1. As discussed above, there is no disclosure, teaching, or suggestion in *Amazon* of one or more pointers or one or more seller databases identified by the one or more pointers associated with each product class. Thus, *Amazon* necessarily fails to disclose, teach, or suggest communicating "a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class," as specifically recited in Claim 1. As best as can be determined by the screen shots of *Amazon*, the search performed is likely of a consolidated database system associated with amazon.com.

Furthermore, when considering the patentability of a claim, it is essential to view the invention as a whole, taking each element into account as well as the advantages, properties, utilities, and results of the invention. *In re Chupp*, 816 F.2d 643 (Fed. Cir. 1987). As such, Applicants respectfully direct the Examiner to Page 19, Lines 25-27 of Applicants' specification,

which provides, "Since GCD 42 is able to communicate with databases 32 to identify certain products requested by a buyer 20, information about the products categorized in GCD 42 does not have to be stored at GCD 42."

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1, together with Claims 2-7 and 9-10 that depend from independent Claim 1. Independent Claims 11 and 20 are allowable for reasons substantially similar to those discussed above with respect to independent Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 11 and 20, together with Claims 12-16 and 18-19 (which depend from independent Claim 11) and Claims 21-25 and 27-28 (which depend from independent Claim 20).

C.   Claims 1-28 are Allowable over *Rajaraman*

The Examiner rejects Claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by *Rajaraman*. Applicants respectfully disagree.

Rajaraman discloses a method and system for general purpose searching (GPS), which allows a user to search for items that best match a search criteria. (Column 2, Lines 57-60) To facilitate the searching, the GPS system groups items into a classification hierarchy. The GPS system inputs a search criteria from a user, searches for the classifications of items that best match the search criteria, and displays those classifications in an order based on how well they match the search criteria (possibly displaying only the best matches). (Column 2, Line 65 - Column 3, Line 3) The user can then select a displayed classification to view the sub-classifications within that classification or, if that classification has no sub-classification, the items within that classification. (Column 3, Lines 4-7)

Rajaraman fails to disclose, teach, or suggest the limitations specifically recited in Claim 1.

For example, *Rajaraman* fails to disclose, teach, or suggest "one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class," as

specifically recited in Claim 1. Again, the Examiner simply wrote the word "seller" as teaching this entire element. (Office Action, Page 9) FIGURE 2 of *Rajaraman* makes clear that any product data is merely stored in a single product database 201 associated with the system. Nowhere does *Rajaraman* even mention seller databases, much less that each pointer identifies a seller database as recited in Applicants' Claim 1. At best, *Rajaraman* discloses that product database 201 contains a department table for each department in an online store. (Column 5, Lines 65-66) The department may be considered the highest classification. (Column 5, Line 66 - Column 6, Line 1) Each department table contains one entry for each item that is available to be purchased through the department of the online store. (Column 6, Lines 1-2; *see also* FIGURES 3A and 3B) The tables include a field that specifies the classification of each item within the classification hierarchy and other fields that describe each item. (Column 6, Lines 4-10) One of these fields may be a provider field. (Column 6, Lines 10-11) Thus, the items of *Rajaraman* are merely stored in a table associated with the system. Presumably, sellers submit information for entry into the tables, although *Rajaraman* does not even mention how seller information is entered in the tables. For at least these reasons, *Rajaraman* fails to disclose, teach, or suggest "one or more pointers associated with each product class, each pointer identifying a seller database in which product data enabling a product transaction is stored for products associated with the product class," as specifically recited in Claim 1.

As another example, *Rajaraman* fails to disclose, teach, or suggest "a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class," as specifically recited in Claim 1. As discussed above, there is no disclosure, teaching, or suggestion in *Rajaraman* of one or more pointers or one or more seller databases identified by the one or more pointers associated with each product class. Thus, *Rajaraman* necessarily fails to disclose, teach, or suggest communicating "a search query for product data to one or more seller databases identified by the one or more pointers associated with the selected product class," as specifically recited in Claim 1. *Rajaraman* merely discloses searching its GPS index for terms within its classification hierarchy that match a user's search term. There is no disclosure, teaching, or suggestion in *Rajaraman* of any search of even one seller database in response to a user query -- just a search of the GPS index.

Furthermore, when considering the patentability of a claim, it is essential to view the invention as a whole, taking each element into account as well as the advantages, properties, utilities, and results of the invention. *In re Chupp*, 816 F.2d 643 (Fed. Cir. 1987). As such, Applicants respectfully direct the Examiner to Page 19, Lines 25-27 of Applicants' specification, which provides, "Since GCD 42 is able to communicate with databases 32 to identify certain products requested by a buyer 20, information about the products categorized in GCD 42 does not have to be stored at GCD 42."

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1, together with all claims that depend from independent Claim 1. Independent Claims 11 and 20 are allowable for reasons substantially similar to those discussed above with respect to independent Claim 1. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 11 and 20, together with all claims that depend from independent Claims 11 and 20.

Conclusion

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Christopher W. Kennerly, Attorney for Applicants, at the Examiner's convenience at (214) 953-6812.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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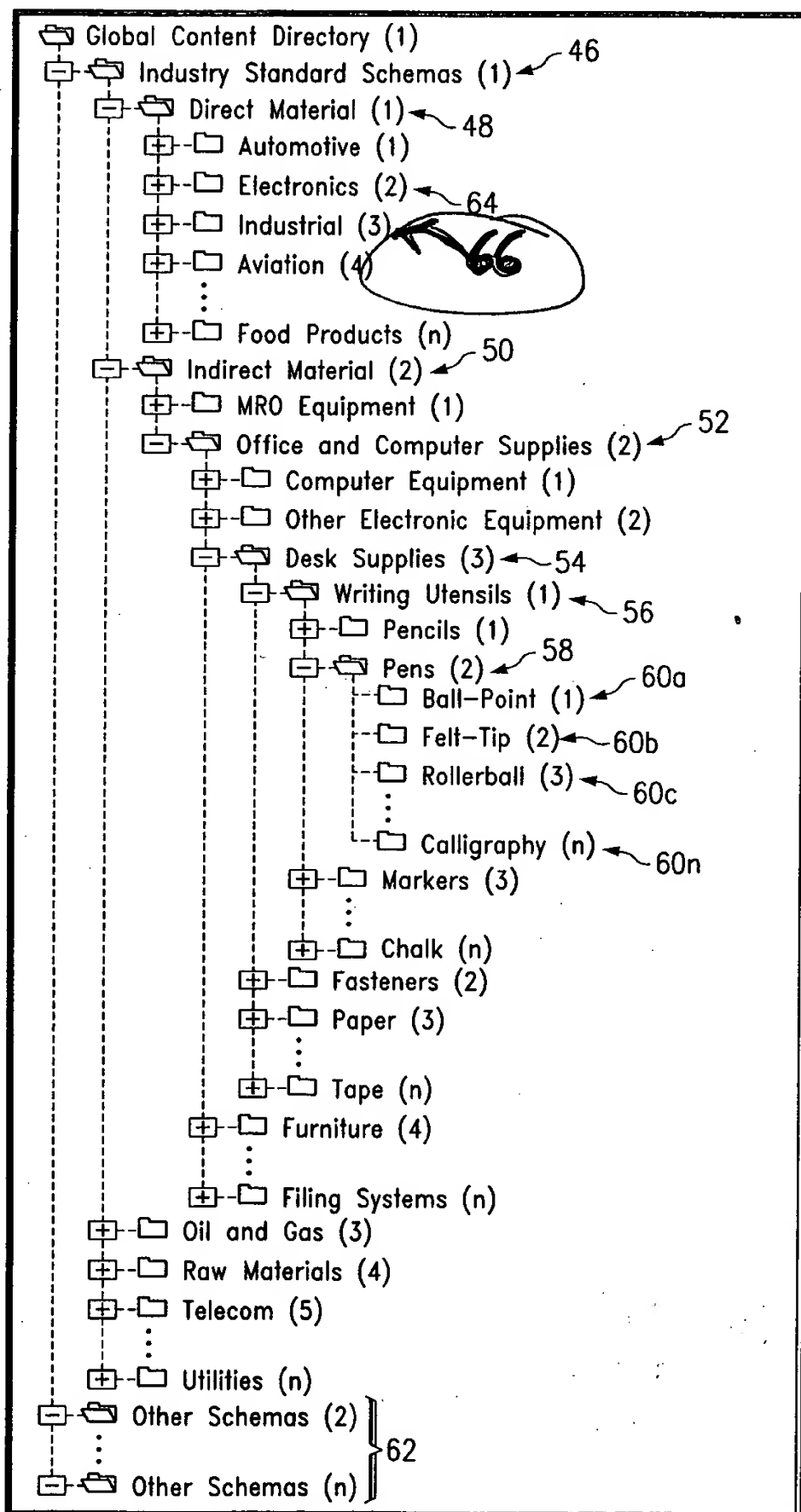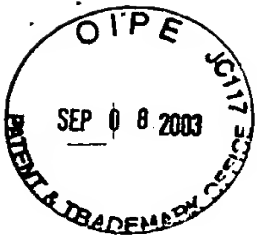2001 Ross Avenue, 6th Floor
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Docket No.: 020431.0753
System and Method for Facilitating
Electronic Commerce Transactions
Inventors:Mohanasundaram (nmi) Chinnappan
Sheets: 2 of 5

ANNOTATED

FIG. 2

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📁 Global Content Directory (1)
├─📂 Industry Standard Schemas (1) ← 46
│  ├─📂 Direct Material (1) ← 48
│  │  ├─📁 Automotive (1)
│  │  ├─📁 Electronics (2) ← 64
│  │  ├─📁 Industrial (3)          66
│  │  ├─📁 Aviation (4)
│  │  ⋮
│  │  └─📁 Food Products (n)
│  │                          50
│  ├─📂 Indirect Material (2) ←
│  │  ├─📁 MRO Equipment (1)
│  │  ├─📂 Office and Computer Supplies (2) ← 52
│  │  │  ├─📁 Computer Equipment (1)
│  │  │  ├─📁 Other Electronic Equipment (2)
│  │  │  ├─📂 Desk Supplies (3) ← 54
│  │  │  │  ├─📂 Writing Utensils (1) ← 56
│  │  │  │  │  ├─📁 Pencils (1)
│  │  │  │  │  │              58
│  │  │  │  │  ├─📂 Pens (2) ←
│  │  │  │  │  │  ├─📁 Ball-Point (1) ← 60a
│  │  │  │  │  │  ├─📁 Felt-Tip (2) ← 60b
│  │  │  │  │  │  ├─📁 Rollerball (3) ← 60c
│  │  │  │  │  │  ⋮
│  │  │  │  │  │  └─📁 Calligraphy (n) ← 60n
│  │  │  │  │  ├─📁 Markers (3)
│  │  │  │  │  ⋮
│  │  │  │  │  └─📁 Chalk (n)
│  │  │  │  ├─📁 Fasteners (2)
│  │  │  │  ├─📁 Paper (3)
│  │  │  │  ⋮
│  │  │  │  └─📁 Tape (n)
│  │  │  ├─📁 Furniture (4)
│  │  │  ⋮
│  │  │  └─📁 Filing Systems (n)
│  ├─📁 Oil and Gas (3)
│  ├─📁 Raw Materials (4)
│  ├─📁 Telecom (5)
│  ⋮
│  └─📁 Utilities (n)
├─📂 Other Schemas (2)  ⎫
⋮                       ⎬ 62
└─📂 Other Schemas (n)  ⎭
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Docket No.: 020431.0753
System and Method for Facilitating
Electronic Commerce Transactions
Inventors: Mohanasundaram (nmi) Chinnappan
Sheets: 3 of 5

ANNOTATED

FIG. 4